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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 CALVIN MALONE,

8 Plaintiff,

9 v.

10 LESLIE SZIEBERT,

11 Defendant.

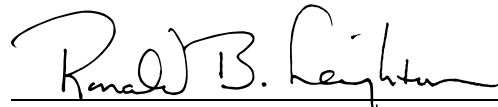
No. 3:15-CV-05552-RBL-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed the Report and Recommendation (Dkt. 93) of Magistrate
13 Judge David W. Christel, objections to the Report and Recommendation, if any, and the
14 remaining record, does hereby find and ORDER:

- 15 (1) The Court adopts the Report and Recommendation.
- 16 (2) Defendant's Motion for Summary Judgment (Dkt. 85) is granted and Plaintiff's
17 Motion for Summary Judgment (Dkt. 80) is denied. Plaintiff's § 1983 claims are
18 dismissed with prejudice, and Plaintiff's state law claims are dismissed without
19 prejudice.
- 20 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
21 Defendants, and to the Hon. David W. Christel.

22 **DATED** this 16th day of March, 2018.

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25 Ronald B. Leighton
26 United States District Judge